

REMARKS AND REQUEST FOR RECONSIDERATION

SUPPORT

Claims 1, 11, and 22 have been amended to specify that the weight ratio of component A to component B is from about 1:4 to about 1:2. Component A may comprise a dispersant and component B may comprise a detergent. Support for these amendments is found on page 6, lines 17-22 of the specification.

Claims 23 and 24 have been amended to make it clear that the gel composition used in each claimed device is the gel composition of claim 1. Support for these amendments is found on page 3, lines 23-37 of the specification.

No other elements of the claims have been amended.

RESPONSE

The Examiner rejected claims 1, 2, 5-20 and 22-24 under 35 U.S.C. § 103(a) as being unpatentable over Higton, et. al., (6,310,010). The Examiner maintains the position that Higton meets the limitations of the claims when the dispersant, detergent and antioxidant combination in a package forms a gel and that although reducing the emissions is not taught by Higton, it is inherent because Higton teaches that gels are suitable for use in lubricants for gasoline and diesel engines. Applicants respectfully disagree.

Applicants have amended claims 1, 11 and 22 to require the weight ratio of component A to component B (A:B) to be from about 1:4 to about 1:2. When component A of the claimed invention is a dispersant, component B is a detergent, and component C is an antioxidant, resulting in the combination the Examiner objects to based on Higton, this additional limitation ensures the weight ratio of dispersant to detergent is from about 1:4 to about 1:2. In contrast, the disclosure in Higton is limited to weight ratios of dispersant to detergent of about 8:1 to 1:1. See col. 3, lines 43-45 of the reference. Higton does not disclose, suggest or teach the ratios required by the claimed invention, nor does the reference provide any motivation toward the weight ratios of the present invention. Therefore applicants respectfully request the rejections based on Higton be removed.

Claims 23 and 24 have also been amended to make it clear that they use the gel composition of claim 1. As applicants have shown the composition of claim 1 to be

both novel and non-obvious over Higton, it is respectfully submitted that the oil filter of claim 23 and the containment device of claim 24 are also novel and non-obvious over the reference. Applicants respectfully request the rejections of these claims be removed.

CONCLUSION

For the foregoing reasons it is submitted that the present claims are novel, unobvious and in condition for allowance. The foregoing remarks are believed to be a full and complete response to the outstanding office action. Therefore an early and favorable reconsideration is respectfully requested. If the Examiner believes that only minor issues remain to be resolved, a telephone call to the Undersigned is suggested.

Any required fees or any deficiency or overpayment in fees should be charged or credited to deposit account 12-2275 (The Lubrizol Corporation).

Respectfully submitted,

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